

**Electronically Filed
Intermediate Court of Appeals
CAAP-13-0004541
15-JUL-2014
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NO. CAAP-13-0004541

IN THE INTERMEDIATE COURT OF APPEALS
OF THE STATE OF HAWAI'I

IN THE MATTER OF THE METCALFE TRUST DATED FEBRUARY 19, 1992
APPEAL FROM THE CIRCUIT COURT OF THE SECOND CIRCUIT
(TRUST NO. 10-1-0004(2))

ORDER DISMISSING THE APPEAL PURSUANT TO HRAP RULE 30
(By: Nakamura, C.J., Fujise and Reifurth, JJ.)

Upon review of the record, it appears that:

- (1) On October 28, 2013, Beneficiary-Appellant Scott T. Metcalfe (Appellant) filed a notice of appeal;
- (2) The record on appeal was filed on December 27, 2013, and the opening brief was due by February 5, 2014;
- (3) Appellant obtained extensions to file the opening brief, which was then due on June 10, 2014;
- (4) Appellant did not file the opening brief;
- (5) On June 18, 2014, the appellate clerk informed Appellant that the time for filing the opening brief had expired and, pursuant to Hawai'i Rules of Appellate Procedure Rule 30,

the matter would be called to the court's attention on June 30, 2014, for such action as the court deems proper, which could include dismissal;

(6) Appellant did not file the opening brief or respond to the notice of default.

Therefore, IT IS HEREBY ORDERED that the appeal is dismissed.

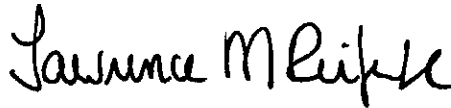
DATED: Honolulu, Hawai'i, July 15, 2014.



Chief Judge



Associate Judge



Associate Judge